

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

SLUSH PUPPIE LIMITED, )  
                            )  
Plaintiff,             ) Case No: 1:19-cv-00189-MRB  
                            )  
v.                         ) JUDGE MICHAEL R. BARRETT  
                            )  
THE ICEE COMPANY,     )  
                            )  
Defendant.             )

**PLAINTIFF SLUSH PUPPIE LIMITED'S MOTION FOR LEAVE TO FILE UNDER  
SEAL PLAINTIFF'S MOTION TO EXCLUDE DEFENDANT THE ICEE  
COMPANY'S EXHIBIT 34 AS INADMISSIBLE**

Pursuant to S.D. Ohio Civ. R 5.2.1, Plaintiff Slush Puppie Limited ("SPL") hereby moves the Court for an Order allowing it to file under seal its *Motion to Exclude Defendant The ICEE Company's Exhibit 34 as Inadmissible*, in order to protect information that the parties have agreed not to disclose publicly. (*See* Doc. 25.) Good cause in support of this Motion exists because SPL cites to testimony set forth in the sealed preliminary injunction hearing transcript dated August 30, 2021.

Immediately upon the Court's ruling of this Motion, SPL will file its *Motion to Exclude Defendant the ICEE Company's Exhibit 34 as Inadmissible* to allow adjudication. A proposed order accompanies this Motion.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 16, 2021, a copy of this document was filed electronically. Notice of this filing will be sent by operation of the Court's case management and electronic filing system. Parties may access this filing through the Court's case management and electronic filing system.

/s/ Eric Larson Zalud